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Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBSAN LEE GRATTON,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Civil No. 2:25-cv-02058-JDP

STIPULATION AND ~~PROPOSED~~ ORDER
FOR AN EXTENSION OF TIME

Pending the Court's approval, IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel of record, that the time for Defendant to respond to Plaintiff's Motion for Summary Judgment be extended thirty (30) days from November 17, 2025, up to and including December 17, 2025. This is the Defendant's first request for such an extension.

At the end of the day on September 30, 2025, the appropriations that have been funding the Department of Justice expired and appropriations to the Department lapsed. The same is true

for most Executive agencies, including federal defendant Social Security Administration (SSA). In the absence of either a Fiscal Year 2026 appropriation or a continuing resolution to continue the ongoing operations of the Social Security Administration (SSA), no further financial obligations may be incurred by SSA, except for that work which, as defined by law, is excepted from the limitations of Anti-Deficiency Act (ADA). See 31 U.S.C. §§ 1341–1342.

Effective Monday, October 20, 2025, the Social Security Administration determined that undersigned counsel and colleagues within her office may perform work on Social Security cases arising under 42 U.S.C. § 405(g) during the current lapse in appropriations as excepted work. However, prior to this date, undersigned counsel was not permitted to work during the funding lapse.

In the month immediately preceding the lapse in funding, Defendant’s counsel filed five district court briefs, five stipulated motions to remand, and settled three EAJA matters. Since returning to work on October 20, 2025, undersigned counsel has filed three district court briefs, two replies to magistrate recommendation and report objections, and settled four EAJA matters. In the next 30 days, she has nine district court briefs due. Defendant respectfully requests additional time to allow his counsel time to review the record in this case and respond appropriately to Plaintiff’s motion.

The parties further stipulate that the Court’s Scheduling Order shall be modified accordingly.

Respectfully submitted,

Dated: November 12, 2025

/s/ Francesco Benavides*
(*as authorized via e-mail on November 7, 2025)
FRANCESCO P. BENAVIDES
Attorney for Plaintiff

Dated: November 12, 2025

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By: s/ Kaitlin H. Wolf
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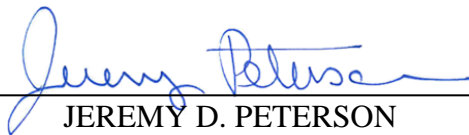
Attorneys for Defendant

ORDER

Pursuant to the parties' stipulation, IT IS SO ORDERED that Defendant shall have an extension, up to and including December 17, 2025, to respond to Plaintiff's Motion for Summary Judgment.

IT IS SO ORDERED.

Dated: November 13, 2025


JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE